

SENATE BILL 1091

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0lr3532
CF HB 1554

By: **Senator Mooney**

Introduced and read first time: March 4, 2010

Assigned to: Rules

Re-referred to: Judicial Proceedings, March 25, 2010

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: April 3, 2010

CHAPTER _____

1 AN ACT concerning

2 ~~Frederick County~~ **Religious Corporations – Retention of Assets by Local**
3 ~~Churches~~ **Laws Governing Assets of United Methodist Church – Repeal**

4 FOR the purpose of ~~providing that, as to any local church in Frederick County that is~~
5 ~~or formerly was affiliated with the Sunnyside United Methodist Church and~~
6 ~~that withdraws from the United Methodist Conference, certain provisions of law~~
7 ~~do not prevent the local church from retaining title to any assets controlled by~~
8 ~~the local church~~ repealing certain requirements for the holding of certain assets
9 owned by a certain Methodist Church; repealing certain provisions of law
10 providing for the effect of the absence of a trust clause in a certain deed or other
11 conveyance executed before a certain date; repealing a certain provision of law
12 providing for the effect of certain provisions of law on the retention of title to
13 assets controlled by certain churches in Garrett County; and generally relating
14 to the assets of the United Methodist Church.

15 BY repealing

16 Article – Corporations and Associations

17 Section 5-326, 5-327, and 5-328

18 Annotated Code of Maryland

19 (2007 Replacement Volume and 2009 Supplement)

20 ~~BY adding to~~

21 ~~Article – Corporations and Associations~~

22 ~~Section 5-328.1~~

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~Annotated Code of Maryland
(2007 Replacement Volume and 2009 Supplement)~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Corporations and Associations

[5-326.

All assets owned by any Methodist Church, including any former Methodist Episcopal Church, Methodist Protestant Church, Methodist Episcopal Church, South, the Washington Methodist Conference, or Evangelical United Brethren Church, whether incorporated, unincorporated, or abandoned:

(1) Shall be held by the trustees of the church in trust for the United Methodist Church; and

(2) Are subject to the discipline, usage, and ministerial appointments of the United Methodist Church, as from time to time authorized and declared by the general conference of that church.]

[5-327.

The absence of a trust clause in any deed or other conveyance executed before June 1, 1953, does not relieve or exclude a local church in any way from its Methodist connectional responsibilities or from the provisions of this part and does not absolve a local congregation or board of trustees of its responsibility to the United Methodist Church, if such an intent of the founders or the later congregations and boards of trustees is indicated by:

(1) The conveyance of the assets to the trustees of the local church or any of its predecessors;

(2) The use of the name, customs, and polity of the United Methodist Church in such a way as to be known to the community as part of this denomination;
or

(3) The acceptance of the pastorate of ministers appointed by a bishop of the United Methodist Church or employed by the superintendent of the district in which the local church is located.]

[5-328.

As to any local church in Garrett County that was affiliated formerly with the Evangelical United Brethren Church and that withdraws from the West Virginia

1 United Methodist Conference, this part does not prevent the local church from
2 retaining title to any assets controlled by it.]

3 ~~5-328.1.~~

4 ~~AS TO ANY LOCAL CHURCH IN FREDERICK COUNTY THAT IS OR~~
5 ~~FORMERLY WAS AFFILIATED WITH THE SUNNYSIDE UNITED METHODIST~~
6 ~~CHURCH AND THAT WITHDRAWS FROM THE UNITED METHODIST CONFERENCE,~~
7 ~~THIS PART DOES NOT PREVENT THE LOCAL CHURCH FROM RETAINING TITLE TO~~
8 ~~ANY ASSETS CONTROLLED BY THE LOCAL CHURCH.~~

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 June 1, 2010.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.